

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Joongseo Park

Application No.: 10/597,607 (National Phase of  
PCT/KR2005/000360)

Filed: August 1, 2006

For: III-NITRIDE COMPOUND  
SEMICONDUCTOR LIGHT EMITTING  
DEVICE

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Allowed: April 23, 2009

Confirmation No.: 3725

Art Unit: 2822

Examiner: T. D. Green

**PETITION UNDER 37 C.F.R. 1.182**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

On August 1, 2006, applicants electronically submitted filing papers for the subject National Stage Application Under U.S.C §371, with the correct International Application Number of PCT/KR05/00360 and filing date of **February 5, 2005** on the Transmittal Letter to the DO/EO/US and Application Data Sheet.

On August 3, 2006, applicants electronically paid the filing fees and submitted the executed Declaration, which also indicated the correct International Application and Filing Date.

Applicants respectfully request that the filing date of this application be corrected to reflect the filing date as August 3, 2006. In addition, applicants respectfully request that the International Filing Date be corrected to reflect the filing date as **February 5, 2005**. A copy of the Application Data Sheet, Declaration, Electronic Acknowledgement Receipts, and Filing Receipt (indicating corrections to be made) are submitted herewith.

The Applicants also respectfully request that the fee required for this petition be waived since all of the paperwork submitted indicated the correct International Application Number and filing date.

If the fee cannot be waived, please charge our Deposit Account No. 04-0100 in the amount of \$400.00 covering the petition fee. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: May 12, 2009

Respectfully submitted,

By \_\_\_\_\_  
Marie Collazo

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## UNITED STATES PATENT AND TRADEMARK OFFICE

21302/0205263-US0

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/597,607	08/01/2006	900		20506/0205263-US0	4	1

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08/03/2006

CONFIRMATION NO. 3725

FILING RECEIPT



OC00000028597283

Date Mailed: 03/25/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections.

## Applicant(s)

Joongseo Park, Kyunggi-do, KOREA, REPUBLIC OF;

## Assignment For Published Patent Application

EPIVALLEY CO., LTD, Gyunggi-Do, KOREA, REPUBLIC OF

Power of Attorney: The patent practitioners associated with Customer Number 07278

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/KR05/00360-03/05/2005

02/05/2005

## Foreign Applications

REPUBLIC OF KOREA 10-2004-0007541 02/05/2004

If Required, Foreign Filing License Granted: 03/20/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/597,607

Projected Publication Date: 06/26/2008

Non-Publication Request: No

Early Publication Request: No

Computer Done  
 Red Entry Done  
 Accesses Done  
 Folder Done  
 Card Done  
 Letter Done  
 Foreign Done

**Title**

III-Nitride Compound Semiconductor Light Emitting Device

**Preliminary Class****PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**

**Title 35, United States Code, Section 184**

**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

## **Application Data Sheet**

### **Application Information**

Application Type:: Regular  
Subject Matter:: Utility  
Suggested Group Art Unit:: N/A  
CD-ROM or CD-R?:: None  
Sequence submission?:: None  
Computer Readable Form (CRF)?:: No  
Title:: III-NITRIDE COMPOUND SEMICONDUCTOR  
LIGHT EMITTING DEVICE  
Attorney Docket Number:: 20506/0205263-US0  
Request for Early Publication?:: No  
Request for Non-Publication?:: No  
Suggested Drawing Figure:: Fig. 3  
Total Drawing Sheets:: 5  
Small Entity?:: No  
Petition included?:: No  
Secrecy Order in Parent Appl.?:: No

### **Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Republic of Korea  
Status:: Full Capacity  
Given Name:: Joongseo  
Family Name:: Park  
City of Residence:: Kyunggi-Do  
Country of Residence:: Republic of Korea  
Street of mailing address:: 606-103, Samsung Raemian 6-cha Apt.,  
1167, Bojeong-ri, Kuseong-eup, Yongin-si

City of mailing address:: Kyunggi-Do  
Country of mailing address:: Republic of Korea  
Postal or Zip Code of mailing address:: 449-564

#### **Correspondence Information**

Correspondence Customer Number:: 07278

#### **Representative Information**

Representative Customer Number:: 07278

#### **Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/KR2005/000360	02/05/05

#### **Foreign Priority Information**

Country::	Application number::	Filing Date::	Priority Claimed::
Korea, Republic of	10-2004-0007541	02/05/04	Yes

#### **Assignee Information**

Assignee name:: EPIVALLEY CO., LTD.  
Street of mailing address:: 51-2, Neungpyeong-ri  
City of mailing address:: Gyunggi-Do  
Country of mailing address:: Republic of Korea  
Postal or Zip Code of mailing address:: 464-890

PTO/SB/110 (05-85)

Approved for use through 10/31/02. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Declaration and Power of Attorney for Patent Application****특허 출원 관련 선언 및 위임권****Korean Language Declaration**

아래 지정된 발명자로서, 본인은 여기 사항을 선언합니다.

본인의 거주지, 우편 주소 및 국적은 본인의 성명 아래에 기재된 것과 동일합니다.

본인은 아래 명시된 발명에 대한 속임수 척수자는 주제의 최초 원인자이며 단독  
발명자이거나 (여러명의 단독 발명자가 기재된 경우) 또는 최초 원인자이며 공동  
발명자임을 (여러명의 공동 발명자가 기재된 경우) 확인합니다.

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE**

다음 날이 체크되어 있지 않으면 본 발명의 명세서가 여기에 첨부됩니다.

미합중국 출원번호 또는 PCT 국제 출원번호는  
PCT/KR2005/000360로  
5 February 2005 일자 출원되었고  
 일자 개정되었음  
 (해당 경우).

본인은 상기 개정에 의해 수정된 상기 명세서는 굳은 주의 청구의 내용을  
 정식으로서 이해했음을 확인합니다.본인은 연방 규정 코드안 제37장의 제1,56항에 의거하여 다음 자격에  
 합격한 것으로 정보를 공개함을 허용을 인정합니다.**III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE**

the specification of which is attached hereto unless the following box is checked:

was filed on 5 February 2005  
 as United States Application Number or PCT  
 International Application Number  
PCT/KR2005/000360 and was amended on  
 (if applicable).

I hereby state that I have reviewed and understand the  
 contents of the above identified specification, including the  
 claims, as amended by any amendment referred to above.I acknowledge the duty to disclose information which is  
 material to patentability as defined in Title 37, Code of  
 Federal Regulations, Section 1.56.

## Korean Language Declaration

본인은 외국인 특허 출원(들)이나 발명자의 출원에서 전면 경우에는 미합중국 그도인 제35장의 제7,9(a)-(d) 항이나 제365(b) 항에 의거하여 또는 미합중국 이외에 적어도 한 국가를 지정하는 PCT 국제 출원의 경우에는 제365(a) 항에 의거하여 적어 출시된 특허 출원의 외국 우선권을 주장하며, 외국인 특허 출원, 발명자 출원서 또는 우선권이 주장되는 출원의 출원에 제출된 PCT 국제 출원도 또한 아래에 해당하는 체크 박스으로서 확인하시오.

I hereby claim foreign priority under Title 35, United States Code Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or 365 (a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Priority Not Claimed

우선권 주장 있음 

10-2004-0007541  
(Number)  
(번호)

REPUBLIC OF KOREA  
(Country)  
(국가)

5 February 2004  
(Day/Month/Year Filed)  
(출원일자 양/월/년)

(Number)  
(번호)

(Country)  
(국가)

(Day/Month/Year Filed)  
(출원일자 양/월/년)

본인은 미합중국 그도인 제35장 제119(e)에 명시된 바와 같이 아래 미합중국 기승권에 관련된 특권을 요구합니다.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

본인은 미합중국 그도인 제35장의 미국인 출원(들) 전면 제120항에 명시된 바와 같이 또는 미합중국을 지정하는 PCT 국제 출원 관련 제365(c) 항에 명시된 바와 같이 아래 출원의 특권을 요구합니다. 이 출원서에 있는 각 특허 칭구의 내용이 미합중국 그도인 제35장 제112항의 첫번째 항에서 명시된 바와 같이 출원의 미국 또는 PCT 국제 출원에 반포되지 않았으면 본인은 연방 규정 그도인 제37장 제1.56항에 명시된 바와 같이 출원 출원장자와 이 출원서의 국내 또는 PCT 국제 출원장자 사이에 특허 차격에 대한 차로 정표를 공개할 의무를 인정합니다.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Status) (patented, pending, abandoned)  
(원활)(특허 확득, 출원중, 폐기)

(Application No.)  
(출원 번호)

(Filing Date)  
(출원일자)

(Status) (patented, pending, abandoned)  
(원활)(특허 확득, 출원중, 폐기)

본인이 어느 만도 내에서 여전에 제공된 모든 내용이 사실이고, 제공된 정보나 소신이 모두 사실임을 확연히, 더나아가 미합중국 그도인 제318장의 제1001항에 명시된 바와 같이 그의 책임 절차 및 이와 응서한 행위는 법정이나 두목으로 저명 밤거나 성금과 같은 형을 모두 받을 수 있고, 어떠한 고의의 이외 전송은 특허 출원이나 후에 발급된 특허의 유통성을 위태롭게 함을 알지하면서 이각에 전송함을 선언합니다.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO/SB/110 (05-95)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Korean Language Declaration

관: 저명된 발명자로서 본인은 이 특허를 출원하고 이와 관련하여  
및 상호청이 요구하는 실무를 처리하기 위하여 하기 명의 변호사(들)  
는 대리인(들)을 임명합니다. (성명 및 등록번호 기입)

POWER OF ATTORNEY: As a named inventor, I hereby  
appoint the following attorney(s) and/or agent(s) to prosecute  
this application and transact all business in the Patent and  
Trademark Office connected therewith: (list name and  
registration number).

Practitioners associated with Customer Number :  
07278

## 서신 수신자

Address associated with Customer Number  
07278

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

직통 전화 수신자 성명 및 전화번호)

Peter C. Schechter, (212)527-7723

Send Correspondence to:

Address associated with Customer Number  
07278

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

Direct Telephone Calls to: (name and telephone number)

Peter C. Schechter, (212)527-7723

단독 또는 첫번째 발명자의 성명 Joongseo PARK	Full name of sole or first inventor Joongseo PARK
발명자의 서명 Joongseo PARK	Inventor's signature Date 2006-7-25 Joongseo PARK
거주지 Kyunggi-do, Republic of Korea	Residence Kyunggi-do, Republic of Korea
국적 Republic of Korea	Citizenship Republic of Korea
우편 주소 606-103, Samsung Raemian 6-cha Apt., 1167, Bojeong-ri, Kuseong-eup, Yougin-si, Kyunggi-do 449-564 Republic of Korea	Post Office Address 606-103, Samsung Raemian 6-cha Apt., 1167, Bojeong-ri, Kuseong-eup, Yougin-si, Kyunggi-do 449-564 Republic of Korea
관련 보조인 두번째 공동 발명자의 이름	Full name of second joint inventor, if any
두번째 발명자의 서명	Second inventor's signature Date
거주지	Residence
국적	Citizenship
우편 주소	Post Office Address

(세번째 그리고 이후의 공동 발명자들에 대한 유사한 정보와  
그들의 서명을 제공할 것.)

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	1135601
<b>Application Number:</b>	10597607
<b>Confirmation Number:</b>	3725
<b>Title of Invention:</b>	III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE
<b>First Named Inventor:</b>	Joongseo Park
<b>Customer Number:</b>	07278
<b>Filer:</b>	Marie Louise Collazo/Lora Choi Abanador
<b>Filer Authorized By:</b>	Marie Louise Collazo
<b>Attorney Docket Number:</b>	20506/0205263-US0
<b>Receipt Date:</b>	01-AUG-2006
<b>Filing Date:</b>	
<b>Time Stamp:</b>	12:49:15
<b>Application Type:</b>	U.S. National Stage under 35 USC 371
<b>International Application Number:</b>	PCT/KR05/00360

### Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$300
RAM confirmation Number	1045
Deposit Account	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages

1		00813715.PDF	498627	yes	20
<b>Multipart Description</b>					
<b>Doc Desc</b>		<b>Start</b>		<b>End</b>	
Transmittal letter		1		3	
Application Data Sheet		4		5	
Documents submitted with 371 Applications		6		7	
Information Disclosure Statement (IDS) Filed		8		20	

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**Information:**

2	Foreign Reference	00811011.PDF	443866	no	9
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**Warnings:**

**Information:**

3	Foreign Reference	00813788.PDF	149651	no	9
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**Information:**

4	Foreign Reference	00813785.PDF	319585	no	29
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**Information:**

5	Fee Worksheet (PTO-875)	fee-info.pdf	8158	no	2
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**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>			1419887

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**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

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## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	1140195
<b>Application Number:</b>	10597607
<b>Confirmation Number:</b>	3725
<b>Title of Invention:</b>	III-NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE
<b>First Named Inventor:</b>	Joongseo Park
<b>Customer Number:</b>	7278
<b>Filer:</b>	Jay Philip Lessler/Lillian Garcia
<b>Filer Authorized By:</b>	Jay Philip Lessler
<b>Attorney Docket Number:</b>	20506/0205263-US0
<b>Receipt Date:</b>	03-AUG-2006
<b>Filing Date:</b>	
<b>Time Stamp:</b>	17:09:24
<b>Application Type:</b>	U.S. National Stage under 35 USC 371
<b>International Application Number:</b>	

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